

SECTION 3 - ZONING DISTRICTS ESTABLISHED

- 3.1 CLASSES OF DISTRICTS - For the purpose of this Ordinance, the City is divided into the following classes of districts as shown on the maps hereinafter included by reference:

Single Family Residential, or R-1E, R-1H, R-1A, R-1B and R-1C Districts

Duplex Residential, or R-2 Districts

Multi-family Residential, or R-3, R-4 and R-5 Districts

* Hillside Residential and Open Space, or HRO-1 and HRO-2 Districts

Neighborhood Commercial, or C-1 Districts

General Commercial, or C-2 Districts

Highway Commercial, or C-3 Districts

Service Commercial, or C-4 Districts

Executive Administrative, or E-1, E-2.1 and E-2.2 Districts

Limited Industrial, or M Districts

Agricultural, or A Districts

** Exclusive Manufacturing, or M.E. Districts

** Special Building Site District No. 1, or S-1 Combining Districts

** Downtown Design Control District, or D-1 Combining Districts

*** Schools and Compatible Multiple Uses, or SC Districts

- **** 3.2 BOUNDARIES OF DISTRICTS ESTABLISHED - The location and boundaries of the zoning districts established herein are shown on the map entitled "Zoning Map Belmont, California" dated December 4, 1972, prepared by Neal Martin, City Planner, which map is on file with the Zoning Administrator and is hereby incorporated into and made a part of this Ordinance. The said Zoning Map together with all notations, references and other information shown thereon, and all amendments thereto, shall be a part of this Ordinance and shall have the same force and effect as if fully set forth and described herein.

- 3.3 INTERPRETATION OF DISTRICT BOUNDARIES - Wherever any uncertainty exists as to the boundary of any district shown on any zoning map made a part hereof, the following rules shall apply:

3.3.1 Where any such boundary line is indicated as following a street, alley, public way, waterway, or railroad right-of-way, it shall be construed as following the center line thereof.

3.3.2 Where boundary line is indicated as approximately following a lot line, such lot line shall be construed to be such boundary line.

3.3.3 Where a boundary line divides a lot or crosses unsubdivided property, the location of such boundary shall be as indicated upon the Zoning Map.

* Added by Ord. #808, 4/11/89

** Amended by Ord. #559, 4/28/75

*** Added by Ord. #620, 4/27/78

**** Amended by Ord. #497, 1/23/73

3.4 CONFORMITY REQUIRED - Except as otherwise provided herein, land, buildings and premises in any district shall hereafter be used only in accordance with the regulations herein established for that district. No building shall hereafter be erected, constructed, relocated or structurally altered to have a greater height, proportion of coverage, or smaller yards, or open space about it than permissible under the limitations set forth herein for the district in which such building is located. No yard, open space, or off-street parking space, or loading space existing or provided hereafter about any building shall be reduced below the minimum requirements hereinafter set forth for such open space, parking space, or loading space existing or hereafter provided for a building or use, and necessary to meet or partially meet the requirements of this Ordinance shall be considered as all or part of the yard, open space, off-street parking space, or loading space required for any other building or upon any other lot; except as provided in Section 8.2 for the joint or collective use of parking space. No lot held under one ownership at the effective date of this Ordinance shall be reduced in dimension or area in relation to any building thereon so as to be smaller than required by this Ordinance; and if already less, the dimension or area of such lot shall not be further reduced.

* 3.5 ANNEXED TERRITORY - The City may pre-zone unincorporated territory adjoining the City for the purpose of determining the zoning that will apply to such property in the event of subsequent annexation to the City. The method of accomplishing such pre-zoning shall be as provided by Section 16 of this Ordinance for zoning within the City. Action to pre-zone may be by initiation of the Planning Commission, the City Council or by application of the owner of the property. Such zoning shall become effective at the same time that the annexation becomes effective.

If any land or territory is not pre-zoned as provided for herein, then that land or territory upon annexation to the City shall be shown on the Zoning Map to be in Agricultural District (A) and shall thereupon be subject to all zoning regulations applicable to said district.

** 3.6 VIOLATIONS AND INFRACTION

3.6.1 Infraction. Whenever in this section any action is prohibited or is made or declared to be unlawful or an offense, or the doing of any act is required of the failure to do any act is declared unlawful, the violation of such provision of this section shall be an infraction where no specific penalty is provided therefor.

3.6.2 Punishment. A violation determined to be an infraction is punishable by (1) a fine not exceeding two hundred dollars (\$200) for a first violation; and (2) a fine not exceeding four hundred dollars (\$400) for a second violation for the same section within one year. Each additional violation of the same section within one year shall be considered a misdemeanor punishable by a fine not exceeding one thousand dollars (\$1,000) and six (6) months in the county jail. Every day of any violation of this section shall constitute a separate offense.

* Amended by Ord. #416, 3/24/69

** Added by Ord. #867, 12/24/92

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3.7 ENFORCEMENT

- 3.7.1 Public Nuisance. Any violation of this section shall constitute a public nuisance. In addition to any other remedies provided by this section, the City may abate and bring civil suit to enjoin or abate the violation.
- 3.7.2 Power of Citation. The Director of Planning and Community Development has the duty to enforce the provisions of this Ordinance. The Director of Planning and Community Development or his or her designee is hereby vested with the authority to cite any person who violates any of the provisions of this Ordinance.
- 3.7.3 Cumulative Remedies. The remedies provided in this section shall be cumulative and not exclusive.

* Added by Ord. #867, 12/24/92